

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARIO H. CAPOGROSSO,

Plaintiff,

-against-

ALAN GELBSTEIN, *in his individual capacity*, IDA
TRASCHEN, *in her individual capacity*, DANIELLE
CALVO, *in her individual capacity*, SADIQ TAHIR,
in his individual capacity, PEC GROUP
OF NY, INC., DAVID SMART, and DMV
COMMISSIONER MARK SCHROEDER,
in his official capacity,

Defendants.

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BLOOM, United States Magistrate Judge:

Defendant Smart, who proceeds in this matter *pro se*, writes to oppose plaintiff's motion for sanctions, ECF No. 157, to request an extension of time, *nunc pro tunc*, to serve his responses to plaintiff's interrogatories, and to request the appointment of limited-scope pro bono counsel for the purpose of moving for summary judgment. ECF No. 161. Defendant Smart's requests are granted in part and denied in part.

On February 25, 2021, the Court denied plaintiff's motion for sanctions without prejudice. ECF No. 159. Accordingly, Defendant Smart's request to oppose sanctions is denied as moot.

The Court grants Defendant Smart's request for an extension of time to serve his responses to plaintiff's interrogatories *nunc pro tunc*. Defendant Smart states that he received assistance from the City Bar Justice Center's Pro Se Project ("the Pro Se Project") to draft his responses to plaintiff's interrogatories and intends to serve a copy of his responses shortly. The Court notes that Defendant Smart's letter is dated February 24, 2021 and that Defendant Smart

may have already served his interrogatory responses. However, the conference scheduled for **March 16, 2021 at noon shall proceed as scheduled.** The parties including defendant Smart shall call the Chambers telephone conference line at (888) 363-4734 and use the access code 4444221 at 12:00p.m. on March 16, 2021.

Defendant Smart requests the Pro Se Project's assistance in searching for limited-scope pro bono counsel. The Court grants defendant Smart's request for the Pro Se Project to seek limited-scope pro bono counsel in order for Mr. Smart to move for summary judgment.

SO ORDERED.

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LOIS BLOOM
United States Magistrate Judge

Dated: March 11, 2021
Brooklyn, New York